

Message Text

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ACTION L-03

INFO OCT-01 ARA-06 ISO-00 H-02 SCS-03 EB-07 /022 W

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FM AMEMBASSY MEXICO

TO SECSTATE WASHDC 3085

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E.O. 11652: N/A

TAGS: EIND, MX

SUBJ: CITIZENS UTILITY SUIT AGAINST GOM, ET. AL.

REF: STATE 038108

1. MEXICAN OFFICIAL WITH AUTHORITY TO SETTLE SUBJECT CASE IS COMISION FEDERAL DE ELEDTRICIDAD (CFE) DIRECTOR ARSENIO FARELL. CFE IS INDEPENDENT GOM AGENCY WITH ELECTRIC POWER MONOPOLY. WHILE ANOTHER GOM AGENCY, SECRETARIA DE PATRIMONIO NACIONAL (SEPANAL), OVERSEES CFE INVESTMENTS AND OPERATIONS TO DETERMINE THEIR CONSISTENCY WITH NATIONAL OBJECTIVES, IN OUR OPINION SEPANAL WOULD NOT BE INVOLVED IN PROBLEM AT HAND.

2. THE DIFFICULTY WITH DIRECT APPROACH TO CFE DIRECTOR, HOWEVER, IS THAT FARELL IS AN EXTREMELY VOLATILE PERSON WHO OFTEN ADOPTS VERY BELLIGERENT, HOSTILE POSTURE WHEN DEALING WITH MATTERS INVOLVING U.S. INTERESTS. FARELL IS KNOWN FOR HIS ABUSIVE MANNER WITH REPRESENTATIVES OF MAJOR U.S. CORP-ORTATIONS. ON ONE OCCASION, HE EJECTED GENERAL ELECTRIC EXECUTIVE FROM HIS OFFICE AND REFUSED FURTHER INTERVIEWS FOR A PROLONGED PERIOF OF TIME.

3. WHILE IT IS NOT CERTAIN THAT FARELL WOULD EVEN GRANT APPOINTMENT (MOST RECENTLY HE REFUSED TO GIVE APPOINTMENT TO VISITING EXIMBANK CHAIRMAN CASEY LAST SEPTEMBER), EMBASSY WILLING TO ATTEMPT ARRANGE MEETING BETWEEN DIRECTOR AND CITIZEN UTILITIES' REPRESSETATIVES. APPOINTMENT COULD BE SOUGHT BELOW DIRECTOR LEVEL

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BUT THUS UNLIKELY TO BE FRUITFUL FROM POINT OF VIEW OF

SETTLING CASE. WE ARE FACED WITH DILEMMA WHERE PRINCIPAL
AUTHORITY TO NEGOTIATE SETTLEMENT OR OTHERWISE RESOLVE
ISSUE, BECAUSE OF HIS CHARACTER AND BIAS, IS MOST LIKELY
TO BE UNSYMPATHETIC TO ISSUE AND UNRECEPTIVE TO APPROACH.

4. WE STRONGLY RECOMMEND THAT IF CITIZENS UTILITY
PERSISTS IN REQUESTING INTERVIEW WITH CFE DIRECTOR, THAT
THEY BE INFORMED IN ADVANCE OF GIST OF ABOVE.
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Message Attributes

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Draft Date: 19 FEB 1976
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